

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of: ) Group Art Unit: 1644  
KÜNDIG and McCORMACK ) Examiner: Phyong N. HUYNH  
U.S. Patent 6,773,695 ) Docket No: 005184.00002  
Filed: March 13, 2001 )

For: **MODULATION OF ALLERGIC RESPONSE**

**PETITION UNDER 37 C.F.R. § 1.183 TO CORRECT THE ASSIGNEE**

ATTN: Office of Petitions

U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Charge the fee for this petition under 37 C.F.R. § 1.17(h) to our Deposit Account No. 19-0733.

**Statement of Facts**

1. U.S. Patent 6,773,695 issued from application Serial No. 09/804,464.
2. Serial No. 09/804,464 is owned by MannKind Corporation and the University of Zürich. An assignment from inventor Stephen McCormack to AlleCure Corporation is recorded at reel/frame 012963/0228. A certificate of merger of AlleCure Corporation into MannKind

Corporation is recorded at reel/frame 013932/0546. An assignment from inventor Thomas Kündig to the University of Zürich is recorded at reel/frame 015323/0226.

3. The correct address of the University of Zürich is Raemistrasse 71, Zürich, Switzerland CH-8006.

4. The correct address of MannKind Corporation is 28903 North Avenue Paine, Valencia, California 91355.

5. On December 3, 2004 the patentees requested a Certificate of Correction to add the University of Zürich as an assignee of this patent. The request was denied because a petition to waive the requirements of 37 C.F.R. § 3.81 was not included. The patentees never received notice that the request was denied but discovered a copy of the denial in PAIR.

#### **Point to be Reviewed**

The point to be reviewed is whether the requirements of 37 C.F.R. § 3.81 should be waived and a Certificate of Correction can be issued to correct the assignee information for U.S. Patent 6,773,695 to add the University of Zürich.

#### **Action Requested**

The patentees request that the requirements of 37 C.F.R. § 3.81 be waived and a Certificate of Correction can be issued to correct the assignee information for U.S. Patent 6,773,695 to add the University of Zürich. The patentees also request, if the petition is granted, that the file be forwarded to the Certificates of Correction Branch for issuance of the Certificate

of Correction. A copy of the Request for Certificate of Correction is available in PAIR. If an additional fee is due, charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

/Lisa M. Hemmendinger/

Date: October 25, 2007

By:

Customer No. 22907

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Lisa M. Hemmendinger

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